

IN THE CIRCUIT COURT OF BOLIVAR COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

TREVOR SPIVEY

PLAINTIFF

VS.

CIVIL ACTION NO. 22-49

YOUNG'S ENTERPRISE 1, LLC; RICKEY
LANE YOUNG; AND JOHN DOES 1-5

DEFENDANTS

CLERK'S CERTIFICATE

On behalf of the Clerk of the Circuit Court of the Second Judicial District of Bolivar County, Mississippi, the undersigned hereby certifies that attached hereto are true and correct copies of all documents on file and of record in the above-captioned cause.

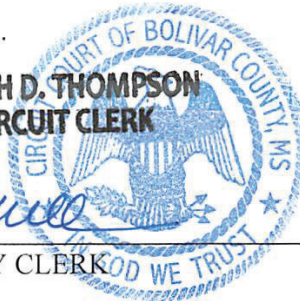
THIS, the 21st day of June, 2022.

JUDITH D. THOMPSON
CIRCUIT CLERK

(SEAL)

By:


DEPUTY CLERK



21/06/2022, 11:58

Eleventh Circuit Court District-Docket Report

Mississippi Electronic Courts
Eleventh Circuit Court District (Bolivar Circuit Court - Cleveland)
CIVIL DOCKET FOR CASE #: 06CI2:22-cv-00049
Internal Use Only
Edit Case Data
Edit Case Participants

SPIVEY v. YOUNG'S ENTERPRISE, LLC et al
Assigned to: Linda F. Coleman

Date Filed: 05/23/2022
Current Days Pending: 29
Total Case Age: 29
Jury Demand: None
Nature of Suit: Negligence - Motor Vehicle
(182)

Upcoming Settings:

None Found

Plaintiff**TREVOR SPIVEY**

represented by **John A. Waits**
Morgan & Morgan
4450 Old Canton Rd, Suite 200
JACKSON, MS 39211
601-718-0932
Fax: 601-718-2093
Email: jwaits@forthepeople.com
ATTORNEY TO BE NOTICED

V.

Defendant**YOUNG'S ENTERPRISE, LLC****Defendant****RICKY LANE YOUNG****Defendant****JOHN DOES 1-5**

| Date Filed | # | Docket Text |
|------------|----------|---|
| 05/23/2022 | <u>3</u> | Civil Cover Sheet. (Williams, Zina) (Entered: 05/26/2022) |
| 05/23/2022 | <u>4</u> | COMPLAINT against YOUNG'S ENTERPRISE 1, LLC, filed by TREVOR SPIVEY. (Williams, Zina) (Entered: 05/26/2022) |
| 05/23/2022 | <u>5</u> | SUMMONS Issued to YOUNG'S ENTERPRISE 1, LLC. (Williams, Zina) (Entered: 05/26/2022) |
| 05/23/2022 | <u>6</u> | SUMMONS Issued to RICKY LANE YOUNG. (Williams, Zina) (Entered: 05/26/2022) |
| 06/21/2022 | <u>7</u> | CERTIFICATE of Clerk (Williams, Zina) (Entered: 06/21/2022) |

21/06/2022, 11:58

Eleventh Circuit Court District-Docket Report

Select Event

ADR Documents
Answers to Complaints

Go to Event

COVER SHEET
Civil Case Filing Form
(To be completed by Attorney/Party
Prior to Filing of Pleading)

Mississippi Supreme Court Form AOC/01
Administrative Office of Courts (Rev 2020)

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Court Identification Docket #
06 2 01
County # Judicial District (CH, CI, CO)
06 23 22
Month Date Year
This area to be completed by clerk

Case Year
2022

Docket Number
49
LFC
Local Docket ID

Case Number if filed prior to 1/1/94

In the CIRCUIT Court of BOLIVAR County — SECOND Judicial District

Origin of Suit (Place an "X" in one box only)
☒ Initial Filing
☐ Remanded
☐ Reinstated
☐ Reopened
☐ Foreign Judgment Enrolled
☐ Joining Suit/Action
☐ Transfer from Other court
☐ Appeal
☐ Other

Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form

Individual Spivey Trevor
 Last Name First Name Maiden Name, if applicable M.I. Jr/Sr/III/IV
 Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____
 Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:
 D/B/A or Agency _____

Business
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated
 Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below:
 D/B/A _____

Address of Plaintiff _____

Attorney (Name & Address) John Waits Morgan & Morgan 4450 Old Canton Rd Jackson, MS 39211 MS Bar No. 99259
 Check (x) if Individual Filing Initial Pleading/NOT an attorney
 Signature of Individual Filing: _____

Defendant - Name of Defendant - Enter Additional Defendants on Separate Form

Individual
 Last Name First Name Maiden Name, if applicable M.I. Jr/Sr/III/IV
 Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____
 Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:
 D/B/A or Agency _____

Business Young's Enterprise 1, LLC
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated
 Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below:
 D/B/A _____

Attorney (Name & Address) - If Known _____ MS Bar No. _____

Check (x) if child support is contemplated as an issue in this suit.*
 *If checked, please submit completed Child Support Information Sheet with this Cover Sheet

Nature of Suit (Place an "X" in one box only)

| | | | |
|---|--|---|--|
| Domestic Relations <input type="checkbox"/> Child Custody/Visitation <input type="checkbox"/> Child Support <input type="checkbox"/> Contempt <input type="checkbox"/> Divorce: Fault <input type="checkbox"/> Divorce: Irreconcilable Diff. <input type="checkbox"/> Domestic Abuse <input type="checkbox"/> Emancipation <input type="checkbox"/> Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Property Division <input type="checkbox"/> Separate Maintenance <input type="checkbox"/> Term. of Parental Rights-Chancery <input type="checkbox"/> UIFSA (eff 7/1/97; formerly URESA) <input type="checkbox"/> Other _____ Appeals <input type="checkbox"/> Administrative Agency <input type="checkbox"/> County Court <input type="checkbox"/> Hardship Petition (Driver License) <input type="checkbox"/> Justice Court <input type="checkbox"/> MS Dept Employment Security <input type="checkbox"/> Municipal Court <input type="checkbox"/> Other _____ | Business/Commercial <input type="checkbox"/> Accounting (Business) <input type="checkbox"/> Business Dissolution <input type="checkbox"/> Debt Collection <input type="checkbox"/> Employment <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Replevin <input type="checkbox"/> Other _____ Probate <input type="checkbox"/> Accounting (Probate) <input type="checkbox"/> Birth Certificate Correction <input type="checkbox"/> Mental Health Commitment <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Joint Conservatorship & Guardianship <input type="checkbox"/> Heirship <input type="checkbox"/> Intestate Estate <input type="checkbox"/> Minor's Settlement <input type="checkbox"/> Muniment of Title <input type="checkbox"/> Name Change <input type="checkbox"/> Testate Estate <input type="checkbox"/> Will Contest <input type="checkbox"/> Alcohol/Drug Commitment (Involuntary) | <input type="checkbox"/> Alcohol/Drug Commitment (Voluntary) <input type="checkbox"/> Other _____ Children/Minors - Non-Domestic <input type="checkbox"/> Adoption - Contested <input type="checkbox"/> Adoption - Uncontested <input type="checkbox"/> Consent to Abortion <input type="checkbox"/> Minor Removal of Minority <input type="checkbox"/> Other _____ Civil Rights <input type="checkbox"/> Elections <input type="checkbox"/> Expungement <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Post Conviction Relief/Prisoner <input type="checkbox"/> Other _____ Contract <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Installment Contract <input type="checkbox"/> Insurance <input type="checkbox"/> Specific Performance <input type="checkbox"/> Other _____ Statutes/Rules <input type="checkbox"/> Bond Validation <input type="checkbox"/> Civil Forfeiture <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Injunction or Restraining Order <input type="checkbox"/> Other A | Real Property <input type="checkbox"/> Adverse Possession <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Eviction <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Lien Assertion <input type="checkbox"/> Partition <input type="checkbox"/> Tax Sale: Confirm/Cancel <input type="checkbox"/> Title Boundary or Easement <input type="checkbox"/> Other _____ Torts <input type="checkbox"/> Bad Faith <input type="checkbox"/> Fraud <input type="checkbox"/> Intentional Tort <input type="checkbox"/> Loss of Consortium <input type="checkbox"/> Malpractice - Legal <input type="checkbox"/> Malpractice - Medical <input type="checkbox"/> Mass Tort <input type="checkbox"/> Negligence - General <input checked="" type="checkbox"/> Negligence - Motor Vehicle <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability <input type="checkbox"/> Subrogation <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Other _____ |
|---|--|---|--|

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IN THE CIRCUIT COURT OF BOLIVAR COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

TREVOR SPIVEY

PLAINTIFF

VS.

CIVIL ACTION NO. 22-49

YOUNG'S ENTERPRISE 1, LLC; RICKEY
LANE YOUNG; AND JOHN DOES 1-5

DEFENDANTS

COMPLAINT WITH DISCOVERY ATTACHED
JURY TRIAL REQUESTED

COMES NOW Trevor Spivey, by and through counsel, and for cause of action against the defendants, Young's Enterprise 1, LLC, and Rickey Lane Young, states and alleges the following:

1.

Trevor Spivey is an adult resident citizen of Leflore County, Mississippi.

2.

Young's Enterprise 1, LLC is a Tennessee for profit limited liability company organized and existing under the laws of the State of Tennessee with its principle place of business at 6123 Frances Wood Drive, Bartlett, TN 38135-1679; doing business in the State of Mississippi; and, may be served by and through service upon its registered agent for service, Rickey Lane Young at 6123 Frances Wood Drive, Bartlett, TN 38135-1679.

3.

Rickey Lane Young is an adult resident citizen of Bartlett, Tennessee, and may be served with process at 6123 Frances Wood Drive, Bartlett, TN 38135-1679.

4.

Defendants, John Does 1-5, are unknown entities who may have been involved in the circumstances giving rise to this cause of action. At all times relevant, John Does 1-5 personally participated in the commission of the alleged herein. Plaintiff expressly incorporated the John Does

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Defendants into each of the allegations set out herein, any where the term “Defendant” is used, this term expressly includes the John Doe Defendants 1-5.

5.

This Court has jurisdiction over this matter pursuant to the Mississippi Constitution and the laws of the State of Mississippi. Venue is proper in this Honorable Court as the subject collision occurred in Bolivar County, Mississippi.

6.

On or about February 17, 2022, at approximately 12:00 a.m., Trevor Spivey was operating a vehicle west along Highway 8 in Bolivar County, Mississippi headed into Cleveland, Mississippi when he was involved in a motor vehicle collision on Highway 8. At the same time and place, Rickey Lane Young was making a delivery on Highway 8 and was backing his 2016 Volvo into a business’s drive leaving the cab of his truck blocking the right westbound lane of travel of Highway 8.

7.

As Trevor Spivey was attempting to travel on Highway 8, Rickey Lane Young’s truck blocked the lane in which Trevor Spivey was traveling on Highway 8 which resulted in a collision.

8.

Trevor Spivey was operating his vehicle in a lawful and prudent manner at the time of the collision and was not negligent in the operation of his vehicle.

9.

The collision and resulting damages to Trevor Spivey were directly and proximately caused by the negligence of Rickey Lane Young in the following ways:

- (a) Failing to obey the traffic signs;

- (b) Failing to keep his vehicle under reasonable and proper control;
- (c) Failing to keep a reasonable and proper lookout as he operated his vehicle;
- (d) Failing to yield the right of way;
- (e) Failing to obey traffic signals;
- (f) Failing to abide by the Rules of the Road;
- (g) Operating his vehicle in a careless and negligent manner;
- (h) Failing to give adequate warnings of a collision;
- (i) Failing to have proper lighting and/or flashers on his vehicle;
- (j) Failing to comply with the regulations and requirements of the Federal motor safety regulations; and/or,
- (k) Other acts of omission and commission to be named in a trial of this matter.

10.

At all relevant times hereto, Rickey Lane Young was acting in the course and scope of his employment with Young's Enterprise 1, LLC. As such, Young's Enterprise 1, LLC is vicariously liable for any and all negligent acts of Rickey Lane Young under the theory of Respondeat Superior and/or vicarious liability as the employer of Rickey Lane Young.

11.

At all relevant times hereto, Rickey Lane Young was operating a vehicle owned and maintained by Young's Enterprise 1, LLC. Young's Enterprise 1, LLC failed to properly service and maintain the vehicle being operated by Rickey Lane Young at the time of the collision. As such, Young's Enterprise 1, LLC is liable to Trevor Spivey Scott as owner and maintainer of the vehicle Rickey Lane Young was operating at the time of the collision.

12.

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As a result of Rickey Lane Young and Young's Enterprise 1, LLC negligent acts and/or omissions, Trevor Spivey has suffered past, present, and future medical expenses; past, present, and future loss of wages or wage earning capacity; and, past, present, and future pain and suffering and resulting emotional distress and mental anguish.

13.

Based on the foregoing, Trevor Spivey requests an award of damages including but not limited to the following:

1. past, present, and future pain and suffering and resulting emotional distress and mental anguish;
2. past, present, and future loss of wages or wage earning capacity;
3. past medical expenses;
4. future medical expenses;
5. Property damage;
6. Pre-judgment interest;
7. Post-judgment interest; and,
8. All costs of court.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Trevor Spivey, demands judgment against Young's Enterprise 1, LLC and Rickey Lane Young in an amount in excess of the jurisdictional minimum of this court and to be determined by a jury to adequately compensate the plaintiff for his injuries; pre-judgment and post-judgment interest; his costs in pursuing this lawsuit; and any other relief to which he may be entitled under Mississippi Law.

RESPECTFULLY SUBMITTED, this the 16th day of May, 2022.

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TREVOR SPIVEY

BY: 
OF COUNSEL

JOHN A. WAITS, ESQ. (MSB #99259)
BRADLEY S. KELLY, ESQ. (MSB #101243)
MORGAN & MORGAN, PLLC
4450 OLD CANTON RD., SUITE 200
JACKSON, MS 39211
TELEPHONE: (601) 718-0932
FACSIMILE: (601) 718-2093
JWAITS@FORTHEPEOPLE.COM
KELLY@FORTHEPEOPLE.COM

STATE OF MISS., BOLIVAR COUNTY
CERTIFIED A TRUE COPY

MAY 23 2022

JUDITH D. THOMPSON, CIRCUIT CLERK

BY:  D.C.

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IN THE CIRCUIT COURT OF BOLIVAR COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

TREVOR SPIVEY

PLAINTIFF

VS.

CIVIL ACTION NO.

22-49

YOUNG'S ENTERPRISE 1, LLC;
RICKEY LANE YOUNG, AND JOHN
DOES 1-5

DEFENDANTS

SUMMONS

STATE OF MISSISSIPPI

COUNTY OF HINDS

TO: Rickey Lane Young
OBO Young's Enterprise 1, LLC
6123 Frances Wood Drive
Bartlett, Tennessee 38135-1679

NOTICE TO DEFENDANT

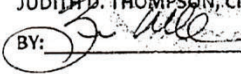
THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND
YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to John A. Waits, attorney for the Plaintiff, whose address is 4450 Old Canton Road; Suite 200; Jackson, Mississippi 39211. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint.

STATE OF MISS., BOLIVAR COUNTY
CERTIFIED A TRUE COPY

MAY 23 2022

JUDITH D. THOMPSON, CIRCUIT CLERK

BY:  D.C.

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You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court this ____ day of May, 2021.

By: _____
EDDIE JEAN CARR
CIRCUIT COURT CLERK
BOLIVAR COUNTY, SECOND
JUDICIAL DISTRICT

REQUESTED BY:

JOHN A. WAITS (MSB# 99259)
MORGAN & MORGAN, PLLC
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Jackson, Mississippi 39211
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